

REMARKS/ARGUMENTS

Reconsideration of this application as amended is requested. By this amendment, Claims 1, 3, 6, 8, 13, and 17 have been amended. After this amendment, Claims 1-20 remain pending in this application.

Claim Rejections - under 35 USC § 103

(1-3) The Examiner rejected Claims 1, 3, 6, 8, 10, 13-15, and 17-19 under 35 U.S.C. 103(a) as being unpatentable over Haggerty et al. (U.S. Patent No. 6,331,983) in view of Hardjono (U.S. Patent No. 6,643,773).

Applicants have amended independent Claims 1, 3, 6, 8, 13, and 17 to more clearly and distinctly recite the present invention. Amended Claims 1, 3, and 6 now more clearly and distinctly recite, "a plurality of destinations" and "plurality of destination addresses", and amended Claims 8, 13, and 17 now more clearly and distinctly recite "plurality of destination addresses". Support for these amendments may be found in the specification as originally filed. See for example page 6, lines 11-18; page 8, lines 12-15 and lines 25-28; and page 9, lines 1-7. No new matter was added.

Haggerty et al. and Hardjono

Haggerty teaches a method an apparatus for establishing connections in a switch-based communications network for multicast traffic. An IP multicast datagram (packet), as taught by Haggerty, specifies the IP multicast group address, which represents a host group (col. 3, lines 66-67 and col. 4, lines 1-2). To receive a multicast packet, a user's host application requests membership in the multicast group that is associated with a particular multicast session. The multicast packet is transmitted to the group address specified within the packet. The receiving multicast router or switch then utilizes its

knowledge of the subscribing members to subsequently forward a copy of the multicast packet.

Turning now to Hardjono, Hardjono teaches an apparatus and method for authenticating messages in a multicast. The Examiner directs Applicant to the Abstract and col. 1, lines 13-25, where Hardjono only mentions that an example of multicasting entails transmitting an e-mail message to a plurality of users that each are on a mailing list. However, Hardjono is silent how this would be done.

Claims 1, 3, and 6 of the Present Invention

As now recited for amended Claim 1, the presently claimed invention recites, among other things, "receiving a mail message created by a user with a **plurality of destinations**". Amended Claim 1 further recites "a multicast packet including a **plurality of destination addresses**, across the network via at least one intermediate node to **addresses corresponding to the plurality of destinations** using a reliable multicast technique."

Similarly, as now recited for amended Claims 3 and 6, the present invention recites, among other things, "receiving a mail message with **addresses corresponding to a plurality of destinations**". Amended Claims 3 and 6 also similarly recite "a multicast packet including a **plurality of destination addresses corresponding to the plurality of destinations**, across the network via intermediate nodes to **destination addresses corresponding to the plurality of destinations** using a reliable multicast technique".

Contrast of Haggerty et al. and Hardjono

In contrast, Haggerty **does not** teach or suggest a multicast packet with a plurality destination addresses. In fact, Haggerty explicitly teaches that a multicast packet does

not contain an IP destination host address, but rather contains a destination IP address of a multicast group (See for example, col. 3, lines 66-67, col. 4, lines 1-2, and col. 13, lines 10-35. Therefore, the address in the multicast packet taught by Haggerty is a **single multicast group address**. The Examiner even acknowledged that Haggerty teaches a multicast packet containing the IP address of a multicast group (See page 2, section 3 of this Office Action).

Nowhere does Haggerty teach or suggest a multicast packet which includes a plurality of destination addresses, let alone a plurality of destination addresses that correspond to addresses in a mail message. The single multicast group address only allows the multicast packet to be sent to that particular single group address destination and does not include the plurality of individual destination addresses of the plurality of multicast packet recipients.

Therefore, it is clear that Haggerty does not teach or suggest the presently claimed sender oriented electronic mail system and method where the user is the sender of the mail message and the mail message is sent in a multicast packet including a **plurality** of destination addresses.

Additionally, Hardjono does not teach or suggest a multicast packet with a plurality of destination addresses, as now recited by amended Claims 1, 3, and 6. As discussed above, Hardjono merely mentions that an example of multicasting entails transmitting an e-mail message to a plurality of users that each are on a mailing list. Hardjono does not teach or suggest how this would be done. Also, nowhere does Hardjono teach or suggest a multicast packet which includes a plurality of destination addresses, let alone a plurality of destination addresses that correspond to addresses in a mail message. Therefore, Hardjono also does not teach or suggest the presently claimed invention as now recited for amended Claims 1, 3, and 6.

Furthermore, even if Haggerty and Hardjono were arguably combined (although

such a combination would require significant modifications to both references); the presently claimed invention as now recited for amended Claims 1, 3, and 6 would not be met. As discussed above, Haggerty teaches a multicast packet containing a single multicast address and does not teach a plurality of destination addresses.

Hardjono, as discussed above, only mentions that an example of multicasting entails transmitting an e-mail message to a plurality of users that each are on a mailing list, but never teaches or suggests how this would be done. Additionally, nowhere does Hardjono teach or suggest a multicast packet with a plurality of destination addresses. Therefore, a combination of Jones and Hesse would not yield the presently claimed invention as now recited for amended Claims 1, 3, and 6, nor is there any suggestion to combine the references.

Accordingly, in view of the amendments and remarks above, since neither Haggerty or Hardjono, nor any combination thereof, teaches, anticipates, or suggests, the presently claimed sender oriented electronic mail system and method where the user is the sender of the mail message and the mail message is sent in a multicast packet including a plurality of destination addresses, as recited for amended Claims 1, 3, and 6, Applicant believes that the rejection of Claims 1, 3, and 6 under 35 U.S.C. 103(a) has been overcome. The Examiner should withdraw the rejection of these claims.

Claims 8, 13, and 17 Of The Present Invention

As now recited for amended Claims 8, 13, and 17, the present invention recites, among other things, "receiving a mail message in a multicast packet including a plurality of destination addresses". Amended Claim 8 further recites "determining one or more 'next hops' corresponding to the plurality of destination addresses for forwarding the packet". Amended Claims 13 and 17 similarly recite "determining the 'next hop' for each destination address of the plurality of destination addresses".

The above arguments and remarks regarding Claims 1, 3, and 6 and more specifically, a "plurality of destinations" and a "plurality of destination addresses" are likewise applicable here in support of the allowability of Claims 8, 13, and 17. These applicable arguments have already been presented above and will not be repeated here.

Additionally, Claim 10 depends from Claim 8; Claims 14-15 depend from Claim 13 either directly or by way of an intervening claim; and Claims 18-19 depend from Claim 17 either directly or by way of an intervening claim and, since dependent claims recite all of the limitations of the independent claim; it is believed that, therefore, Claims 10, 14-15, and 18-19 also recite in allowable form

Accordingly, in view of the amendments and remarks above, since neither Haggerty or Hardjono, nor any combination thereof, teaches, anticipates, or suggests, a multicast packet including a **plurality** of destination addresses or a determination being made as to one or more "next hops" for the multicast packet corresponding to the **plurality** of destination addresses in the multicast packet, as recited for amended Claims 8, 13, and 17, Applicant believes that the rejection of Claims 8, 10, 13-15, and 17-19 under 35 U.S.C. 103(a) has been overcome. The Examiner should withdraw the rejection of these claims.

(4) The Examiner rejected Claims 2, 4, 7, 9, and 12 under 35 U.S.C. 103(a) as being unpatentable over Haggerty et al. (U.S. Patent No. 6,331,983) in view of Hardjono (U.S. Patent No. 6,643,773) and further in view of Boivie et al., "Small Group Multicast: A New Solution for Multicasting on the Internet", IEEE, May-June 2000.

Applicant has amended independent Claims 1, 3, 6, and 8, to more clearly and distinctly recite the present invention. Amended Claims 1, 3, and 6, and accordingly dependent Claims 2, 4 and 7 that depend from Claims 1, 3, and 6 respectively, more clearly and distinctly recite that a mail message with a plurality of destinations is received

and a single copy of that message is sent in a multicast packet that includes a plurality of destination addresses. Amended Claim 8, and accordingly dependent Claims 9 and 12, that depend respectively from amended independent Claim 8, more clearly and distinctly recites that a mail message in a multicast packet including a plurality of destination addresses is received and one or more "next hops" corresponding to the plurality of destination address for forwarding the packet is determined. Support for the amendments to the claim language is found in the specification as originally filed. See for example on page 6, lines 11-18; page 8, lines 12-15 and 25-28; and page 9, lines 1-7. No new matter was added.

As has already been discussed above with respect to the rejection of amended Claims 1, 3, 6, 8, 13, and 17, based on the teachings of the Haggerty reference in view of the Hardjono reference, neither cited reference nor any combination thereof teaches, anticipates, or suggests, the presently claimed sender oriented electronic mail system and method where the user is the sender of the mail message and that the mail message is sent in a multicast packet including a **plurality** of destination addresses. Note that Haggerty specifically teaches using a single group address in the multicast packet for all destinations.

The SGM reference does not address electronic mail. It specifically discusses IP multicasting and small group multicasting where users can join multicast groups. However, it does not in any way teach or suggest, using multicast for an electronic mail system, especially as recited for the presently claimed invention. Note that electronic mail does not use IP multicasting because in electronic mail the set of destinations is determined by the sender while in traditional IP multicast, groups are determined by the receivers, i.e., the receivers that join the multicast groups.

Therefore, in view of the amendments and remarks above, since neither Haggerty, Hardjono, the SGM reference, nor any combination of the three cited references, teaches, anticipates, or suggests, the presently claimed sender oriented electronic mail system and

method where the user is the sender of the mail message and the mail message is sent in a multicast packet including a **plurality** of destination addresses, Applicant believes that the rejection of Claims 2, 4, 7, 9 and 12, under 35 U.S.C. 103(a) has been overcome. The Examiner should withdraw the rejection of these claim.

(5) The Examiner rejected Claims 5, 11, 16 and 20, under 35 U.S.C. 103(a) as being unpatentable over Haggerty et al. (U.S. Patent 6,331,983) in view of Hardjono (U.S. Patent 6,643,773) and further in view of Provino et al. (U.S. Patent No. 6,269,085).

Applicant has amended independent Claims 3, 8, 13, and 17, to more clearly and distinctly recite the present invention. Amended Claims 3, 8, 13, and 17, and accordingly dependent Claims 5, 11, 16, and 20 that depend from Claims 3, 8, 13, and 17 respectively, more clearly and distinctly recite that the mail message is in a multicast packet including a **plurality** of destination addresses. Amended Claims 8, 13, and 17, and their respective dependent claims 11, 16, and 20 include the feature of determining one or more "next hops" corresponding to the **plurality** of destination addresses in the multicast packet. Support for the amendments to the claim language is found in the specification as originally filed. See for example on page 6, lines 11-18; page 8, lines 12-15 and 25-28; and page 9, lines 1-7. No new matter was added.

As has already been discussed above, neither the Haggerty reference, nor the Hardjono reference, nor any combination thereof, teaches, anticipates, or suggests, the presently claimed sender oriented electronic mail system and method where the mail message is sent in a multicast packet including a **plurality** of destination addresses. Additionally, neither reference nor any combination thereof teaches or suggests a determination being made as to one or more "next hops" for the multicast packet corresponding to the **plurality** of destination addresses in the multicast packet. Note that multicast packet, as taught by Haggerty, only contains a single group address for all destinations.

The Provino reference does not address electronic mail. It specifically discusses receiver oriented multicasting using ACKS, NACKS, and retransmission, to report progress of data reception by receivers and intermediate nodes. However, it does not in any way teach or suggest, using multicast for an electronic mail system nor using a multicast packet with a plurality of destination addresses, especially as recited for the presently claimed invention. Provino does not teach or suggest the presently claimed invention as recited for dependent Claims 5, 11, 16 and 20.

Since neither Haggerty, Hardjono, Provino, nor any combination of the three cited references, teaches, anticipates, or suggests the presently claimed invention, as recited for the amended independent Claims 3, 8, 13, and 17, Applicant believes that these claims are allowable. Dependent Claims 5, 11, 16, and 20, respectively depend from amended independent Claims 3, 8, 13, and 17, and, since dependent claims recite all of the limitations of the independent claim, it is believed that, therefore, Claims 5, 11, 16, and 20, also recite in allowable form.

Therefore, in view of the amendments and remarks above, since neither Haggerty, Hardjono, the Provino reference, nor any combination of the three cited references, teaches, anticipates, or suggests, the presently claimed sender oriented electronic mail system and method where the mail message is sent in a multicast packet including a **plurality** of destination addresses, and further where a determination is made as to one or more "next hops" for the multicast packet corresponding to the **plurality** of destination addresses, Applicant believes that the rejection of Claims 5, 11, 16, and 20; under 35 U.S.C. 103(a) has been overcome. The Examiner should withdraw the rejection of these claim.

Conclusion

The foregoing is submitted as full and complete response to the Official Action mailed October 4, 2004, and it is submitted that Claims 1-20 are in condition for allowance, or alternatively are in better form for consideration on appeal. Accordingly, reconsideration of the rejection is requested. Allowance of Claims 1-20 is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §§ 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and the attorneys.

The present application, after entry of this amendment, comprises twenty (20) claims, including six (6) independent claims. Applicants have previously paid for twenty (20) claims including six (6) independent claims. Applicants, therefore, believe that an additional fee for claims amendment is currently not due.

If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 50-0510

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

Date: 11/11/04

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